

Notice of Allowability	Application No.	Applicant(s)	
	10/657,305	BAUDINO ET AL.	
	Examiner	Art Unit	
	Anthony S Addy	2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/11/2005.
2. ☒ The allowed claim(s) is/are 1-34.
3. ☒ The drawings filed on 10 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-34 are allowed.
2. The following is a statement of reasons for the indication of allowable subject matter:

The present invention is directed to a method of operating a wireless communication system including initiating a call from a first communications unit to a second communications unit, embedding a push-to-listen control protocol configuration in a data packet responsive to the call initiation, transmitting the data packet responsive to the call initiation, transmitting the data packet from the first communication unit to the second communications unit, configuring the second communications unit based on the push-to-listen control protocol configuration and transmitting automatic reconnect from the second communications unit to the first communications unit responsive to configuration of the second communications unit.

Claim 1 identifies the uniquely distinct features "embedding a push-to-listen control protocol configuration in a data packet responsive to the call initiation; and configuring the second communications unit based on the push-to-listen control protocol configuration."

The closest prior art, **Chek et al., U.S. Patent Number 5,640,147** discloses a child monitoring device that includes a parent unit and a child unit, wherein upon enabling a command push button on the parent unit, the user of the parent unit can remotely monitor the sounds of the environment in and

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around where the child unit is located, thus remotely monitoring the child and without a need for the child to push any buttons. However, Chek fails to anticipate or render the above underlined limitations in combination with all the recited limitations of claim 1 obvious, over any of the prior art of record, alone or in combination.

Claim 15 identifies the uniquely distinct features "means to embed a push-to-listen mode control protocol configuration in a data packet responsive to the call initiation; and means to configure the second communications unit based on the push-to-listen mode control protocol configuration."

The closest prior art, **Chek et al., U.S. Patent Number 5,640,147** discloses a child monitoring device that includes a parent unit and a child unit, wherein upon enabling a command push button on the parent unit, the user of the parent unit can remotely monitor the sounds of the environment in and around where the child unit is located, thus remotely monitoring the child and without a need for the child to push any buttons. However, Chek fails to anticipate or render the above underlined limitations in combination with all the recited limitations of claim 1 obvious, over any of the prior art of record, alone or in combination.

Claim 24 identifies the uniquely distinct features "computer readable code for embedding a push-to-listen mode control protocol configuration in a data packet responsive to the call initiation; and computer readable code for configuring the second communications unit based on the push-to-listen mode control protocol configuration."

The closest prior art, **Chek et al., U.S. Patent Number 5,640,147** discloses a child monitoring device that includes a parent unit and a child unit, wherein upon enabling a command push button on the parent unit, the user of the parent unit can remotely monitor the sounds of the environment in and around where the child unit is located, thus remotely monitoring the child and without a need for the child to push any buttons. However, Chek fails to anticipate or render the above underlined limitations in combination with all the recited limitations of claim 1 obvious, over any of the prior art of record, alone or in combination.

Claim 34 identifies the uniquely distinct features “configuring the second communications unit with an emergency push-to-listen mode control protocol; and initiating a call to a first communications unit responsive to the configuring the second communications unit with an emergency push-to-listen mode control protocol.”

The closest prior art, **Chek et al., U.S. Patent Number 5,640,147** discloses a child monitoring device that includes a parent unit and a child unit, wherein upon enabling a command push button on the parent unit, the user of the parent unit can remotely monitor the sounds of the environment in and around where the child unit is located, thus remotely monitoring the child and without a need for the child to push any buttons. However, Chek fails to anticipate or render the above underlined limitations in combination with all the recited limitations of claim 1 obvious, over any of the prior art of record, alone or in combination.

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Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony S Addy whose telephone number is 571-272-7795. The examiner can normally be reached on Mon-Thur 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel L Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Anthony S. Addy
April 15, 2005



TEMICA BEAMER
PRIMARY EXAMINER